U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION V
WASTE MANAGEMENT DIVISION

IN THE MATTER OF:
PUBLIC MEETING
VACANT LOT SITE

November 12, 1997
7:00 p.m.

LOCATION:
North Chicago Public Library
2100 N. Argonne Drive
North Chicago, Illinois

PRESENT:
MR. JOHN J. O'GRADY
MS. NOEMI EMERIC

Reported by:
Virginia A. Gaiser, CSR

MS. EMERIC: I want to welcome everyone to the meeting. My name is Noemi Emeric, and I'm a community involvement coordinator with the U.S. EPA. Tonight's meeting is to discuss the vacant lot site and what we title the EE/CA, which is really the Engineering, Evaluation and Cost Analysis, which will list the different cleanup alternatives that could be used at the site.

We're having a public comment period. If you received a fact sheet in the mail or if you saw the ad in the local paper, that means you're on our mailing list. As you understand there is a public comment period for 30 davs that started November 3 and ends December 3. Tonight we will be accepting comments. They can be written or oral public comments. You can send them to me, fax them down or through the Internet which is -- on the backside of the agenda is my information with my telephone and my fax and Internet address.

I want to make sure that everyone does sign in. If you did not get the fact sheet in the mail that means you're not on our mailing list. If you sign in it will ensure that in the

future you will receive other fact sheets or any other pertinent information regarding the site.

We just want to encourage that your public comments are very important and the important role you would play in tonight's meeting or up until December 3rd regarding any comments you may have -- we do consider all the comments that are received.

Also, if you'll notice sitting up here to the left is a court reporter. She's going to be transcribing the meeting in its entirety and in about two weeks, maybe three weeks, we'll have the transcription of the meeting available here in the library. We have an information repository set up which also has the full EE/CA document. So if you want to look at it beyond what you read in the fact sheet, you'll get more technical information from there.

Tonight as we go through the agenda we will have Welcome and Introductions which I am doing now. John O'Grady who is the Remedial Project Manager will give the EE/CA presentation. We'll have a question-and-answer session and then public comment session.

There is a distinct difference between the question-and-answer session and the public comment period session. During the question-and-answer session any questions or statements that you may have, we will respond to those. We'll try to answer your questions in the best way possible.

During the public comment session, you can make your public comment in the form of a statement, question or just a general remark, but we cannot respond to those. That will be something that the transcriber will be taking and two weeks, possibly a month or so, after we've received all the comments, we have what's called a Responsiveness Summary, and that's where we'll respond to all the comments that are received.

From there, that will be sent to the information repository. So if you'd like a copy of the responsiveness summary, please make sure you let me know and I'll mark it off on the sign-up sheet.

We'd just ask that when you're giving your public comment that you be respectful of the of others' time. If you have a lot of

comments that you'd like to give, maybe you can give half of them at one time, three to five minutes, and maybe let someone else have an opportunity. And then you can come back later and give more comments.

Now, we'll go ahead and let John give his presentation. He has instructed that while he's giving his presentation if you have questions, you can go ahead and ask him questions during his presentation.

MR. O'GRADY: Good evening. Thanks for coming. My name is John O'Grady. I'm the Remedial Project Manager. My job at EPA is to manage the cleanup of Superfund sites or Superfund caliber sites.

This particular site is a vacant lot site. It was known as the local Louisville Smelting Company site. It has been on the list, the surplus list, for a long time. The agency has been aware of it for a long time, but there's just so many sites out there that it takes a while to them.

There was a fire back in 1988 at this site. It was understood that after they

investigated the fire -- basically they put the fire out and it would restart. It was caused by some sort of underground fire due to contamination. And that led initially to the first stages of the investigation that eventually brought the site to the state we're at today having done an extensive evaluation of it.

Just so we're all clear about what we're talking about in terms of this site -- I'm sorry for the distortion in the pictures because of the way we're oriented here.

Basically we're looking at the site that is bordered by Commonwealth Avenue on the west side of the site. To the south is 22nd Street or Martin Luther King Jr. Drive. To the north of the site is the railroad tracks, and to the east is the Fansteel property. It's roughly 6.4 acres. There's a portion of the Pettibone Creek that runs through the site. That kind of gives us an idea of where we're at.

In terms of the site itself, this is a close-up of the site. North is facing -- so this would be north up here, and we're looking at Pettibone Creek here. Up here are the railroad

tracks. On this side of the parking lot is the EMCO facility. Over on this side is the Fansteel property, 22nd Street.

The original fire took place somewhere in this area here. Also, in the course of our investigation, we found that the contamination in that area extended down to about the 8-, 10-foot level in certain areas.

We investigated the entire site, and one of the first things we did was we went out and obtained copies of any available report we could find and used that as background information and planned our sampling events so we didn't basically reinvent the wheel.

To give you an idea about how we went about sampling the site, we did a grid, roughly 80-by-80 foot piece. We knew that there would be a 95-percent confidence level in obtaining accurate information from that grid. Obviously we could have spent more money on a 50-by-50 grid or 25-by-25.

We took soil borings down to basically 2 feet. We did it in two phases. We went out there the first time to find out in

general terms what's there throughout the course of the entire site. We also took sediment samples indicated by the triangles.

During the second phase we went back, and we looked at areas that were contaminated to determine how far or how deep they were contaminated both for sediment as well as soil areas.

We also did some Geoprobe sampling to get an idea of what's going on with groundwater. We did sampling of the monitoring wells.

The long and short of the entire investigation is that we were able to characterize fairly well what's going on out there in terms of groundwater sediment and soils. I already discussed this really. I jumped ahead of myself. I want to show this because Noemi spent a lot of time making very nice overheads for me. So 80-by-80 sampling grid; collected soil, sediment and groundwater.

Phase II we did the Geoprobe. That basically is a drill rig that can go down -- depending on the geology, it can go down in some

areas 50 feet, sometimes a little bit more than that. We didn't need to down 50 feet at this particular site. That groundwater table is around 20 feet and sediment samples were up to 3 and a half feet.

SPEAKER: So you didn't go all the way to the water table?

MR. O'GRADY: We did go to the water table for the groundwater but not for soil samples. Basically we were able through the two phases characterize how deep the contamination is. In fact, there are areas on the site that are not that heavily contaminated in other areas as I mentioned. The area where the fire was is contaminated down to 8 to 10 feet in some areas.

After looking at the site and doing the analyticals it's basically a lead site. I would put it into that category. The primary contaminant of concern is lead. There's also Beryllium involved there and some VOCs in the soil.

As is typical with this kind of a site, generally the contamination can be usually collocated to clean up the lead. It can also get

at the VOCs and Beryllium. There are some areas, though, on the site that just show the metal contamination. Other areas show VOCs. But we have a good handle on that with the grid that we laid out.

So knowing that it's lead we asked our risk assessors, look at the scenario of this site not as a residential area, not as something where houses would be going up at, but rather if someone were to come in and want to put in a commercial establishment what would the lead levels need to be. We ran the adult lead model, and based on the demographics of the area we came up with 1,400 parts per million lead soil cleanup level. That means if the lead level is 1,400 or less that would be acceptable lead exposure for an onsite worker eight hours a day, 260 days a year.

We looked at the person that's most at risk, and under the lead adult model that would be a female of childbearing age because if she were pregnant, the child in her womb would be the most susceptible person at the site. So 1,400 is our cleanup level.

There are two ways to look at that

cleanup level. That is a risk-based cleanup level, which means technically if you wanted to really stretch things you can say, okay, I'll clean up to an average of 1,400. Some areas might be 2,100. Some areas might be 700. But what I decided to do was clean everything up to 1,400. That way I'm sure that what I leave on the site is going to be acceptable in terms of risk.

In fact, when you go in there and clean up ti 1,400, you're really not going to find anything by the time I get finished. That's going to be at the 1,400 level. It's all going to be much, much less than that just because of the way the lead is deposited at the site.

So there's two ways that we need to approach the lead contaminated soil. First is there is -- you run what's called a TCLP Test. That's basically a test that tells us under rain water -- under acid rain conditions what's going to leach out of the soil, what kind of lead might possibly get into the groundwater. It's really a test that is based on a RCRA landfill scenario. If it fails this TCLP test we have to stabilize the material before a landfill will accept it.

So there's two ways to look at the lead. We're going to test all the lead, the contaminated soil; and then those soils that fail that particular test, that TCLP test, we'll need to stabilize them. And then those that are not not failing the tests we do not need to stabilize, but simply need to document the levels and send it off to the landfill.

Am I clear so far? Am I going too fast? Too slow? Boring?

I also mentioned we took Geoprobe samples and sediment samples.

SPEAKER: On the soil, after the TCLP where is it going to go?

MR. O'GRADY: We don't know yet. It depends on who does the job, if we do the job -- or if we find a potentially responsible party, they will have the option to find the most economical landfill. But it has to go to a RCRA Subtitle D landfill, yes.

MR. O'GRADY: There's two options. You stabilize it onsite. Stabilizing the lead contaminants is no big deal. It sounds real fancy but it's basically a cement mixer -- don't quote

me to your consultants -- it's basically a pug mill, and it throws the soil in there. You add something like cement or kiln dust. You determine the ratio you need in order to stabilize the soil. That means how much of this stuff you need to add before you you don't fail the TCLP test. You find that out and go through and stabilize the soil with the material, cement or kiln dust or some combination, and you ship it off to the landfill.

The other option, if you don't stabilize onsite you can send it off to a RCRA Subtitle TSDF, which is a Treatment Storage Disposal Facility. At that facility they will do the same thing, basically, you would have done onsite and then you have the option of taking it either to that same facility for final disposal at their RCRA Subtitle D cell or to some other place. We're looking at the most economical alternative. We're not driving people in any one direction.

There's groundwater and sediment contamination. We've acknowledged that, but we've also said in our Engineering Evaluation/Cost Analysis that at this point in time we are not

going to clean it up. The reason is that it's clear to us that there are sources of contamination off site that are causing the problem.

With respect to sediments, it's not clear but it does appear that the sediments became contaminated from something upstream or may have become contaminated from something upstream. Something being another sewer line upstream, another industry upstream. It could be historic contamination. It could be current contamination. We're not sure at this point in time.

All we're saying is before we go in there and excavate the sediment we're basically proposing you would go there and excavate 2 to 4 feet of sediment -- and based on the analysis it appears to be more like 4 feet of sediment -- before we go doing that and then claim that the site is cleaned and having it be recontaminated, we want to determine the upstream source of contamination, get at those and then clean up the whole mess all at once.

With respect to the groundwater

contamination the principal contaminant is trichloroethylene, otherwise known as TCE. And that definitely is coming onsite from an off-site location and we're working with parties with respect to that contamination. So the idea is that we get at the sources of that contamination and address the groundwater contamination that way. So far so good?

That pretty much lays out my presentation. There's one thing I did forget to add which I will re-add. I talked about sediment contamination. I talked about the soil contamination, the original fire area that probably we'll excavate to 8 to 10 feet.

There's another area of contamination in this area here of groundwater. Given that Pettibone Creek -- Groundwater flows something like this, toward Pettibone Creek; but on this side it flows in a different path. I'm not sure if that's the correct arrow. It might be something like that. I'd have to ask a hydrogeologist, but the point is it flows towards the creek. So it's not associated with the contamination on this side. What we're saying is

that we'll do some additional investigation in this area to find out where that contamination is coming from. There's one other point I left out.

SPEAKER: In that picture it seems like it's coming from the west then.

MR. O'GRADY: It appears to be coming from someplace in the west, but it could also be a pocket of contamination. It just needs to be further investigated at this point in time. We just didn't have time within the scope of this EE/CA. Basically the scope of this EE/CA was this 6.4-acre lot. We didn't really go off-site. There are other studies done that have indicated other contamination.

There is one other area of contamination that needs to be further investigated. During one of the preliminary studies there was some -- Where is our site? Our site is here. (Pointing) There's some residential areas up to the north past the railroad tracks that during some initial investigations they did soil sampling, and there is some lead contamination in the soils. It's not at what I would call screamer levels. I'm not worried that

people are going to keel over dead. I don't mean to be flippant. But if it was at, for example, 3,000 or 4,000 parts per million level, I would be real concerned. But we're talking about 700 or 800 parts per million. That's higher than our residential risk scenario would allow under ordinary conditions.

Ordinary cleanup levels would be cleanup to about the 400-parts-per-million level. So we're talking about twice that. So that needs to be further investigated.

I would make a guess that that problem got there a long time ago from smelting operations. At least that's one scenario, one possible scenario. But, again, that's just a guess on my part and we would need to go out there and do more soil sampling and find out the entire extent of that lead contamination of the soil and then make the decision of whether or not that really needs to be addressed by a removal action, or can it be managed in some other way.

For example, those lead levels in the soil were basically based on soil borings which means you take a 1- or 2-foot core of soil.

Well, that soil is protected by a grass layer so right away there's a level of protection there. If there are driveways and things like that, obviously that would be essentially capping the lead contaminated soils.

So it just needs to be investigated and we need to have a risk assessor look at it. Again, it was outside of the scope of our investigation. We were aware of it, and it wasn't at levels that the agency would normally mobilize in a removal action.

SPEAKER: Do you have to know with relative certainty about your off-site contaminant, your silt sediment contaminant and your groundwater contaminant, before you go into any further action, like, with PRPs and that?

Can you decide that you feel you don't have a off-site surface flow contamination problem and so you could move forward with that as your alternative and still not be sure what's going on with the groundwater scenario? Or do you have to have a handle on everything before you can come up and say, okay, this alternative is what we're going to go with?

MR. O'GRADY: The way I've laid out the alternatives, I've laid them out in such a way that can address the onsite soil contamination now because it's not linked with the groundwater. And the groundwater is not cycling up and down in such a nature as to recontaminate clean fill.

SPEAKER: It's almost a secondary issue then?

MR. O'GRADY: It's another issue. It's equally as important. One of the most important considerations when we found groundwater contamination was not just what it was and what's the maximum contaminant level, but are there any receptors. Is anyone drinking the water? We did track that down and there basically are no receptors, but it does need to be addressed.

According to the policies and procedures that Congress has laid out for us, we just don't leave contaminated groundwater in place. First thing we do is find the source of that contamination.

The other question was about, what, sediment? Did you ask about that?

SPEAKER: Yes. If you determine that no

off-site contamination is going on at the surface, then you can go forward with the alternative?

MR. O'GRADY: If it's clear to us that there is no upstream contamination that would be there. So, for example, in a storm water event if there was a scouring effect in one of sewer lines, for example, that were coming onto the site, into Pettibone Creek, that would push additional contamination back on to the site -- if we were sure that wasn't going to happen then, yes, we could go forward with the cleanup of sediment on Pettibone Creek. But unless we really have a handle on that we're just wasting dollars if that were to happen. If we were to clean it up and it got recontaminated it would not make a lot of sense.

Any other questions about that?

(No response)

MR. O'GRADY: Now, we have the next step. So without stealing of any of Noemi's thunder what we're looking at is -- this is called an Engineering Evaluation/Cost Analysis or EE/CA. And the goal is if you're familiar with Superfund sites, this is similar to a Remedial

Investigation/Feasibility Study or an RI/FS. It's just a faster way to approach a site or approach it under slightly different authorities under the Superfund law.

We're looking for the public's comments on our approach to the site. And then based on your comments and our analysis of those comments we will choose a recommended alternative. It may be the one that we recommended in the fact sheet. It might be one that's different. Based on your comments it might be necessary for us to go out there and do a little bit more work. Then when all that's said and done and we've selected cleanup alternatives, then we will also be writing our responsiveness summary which basically takes each and every one of the comments that we receive and we respond to that comment.

Then we would have an action memo signed off by management at Region 5 in Chicago which would give us the legal authority to go in there and do the cleanup. Then we would be at a juncture where we would have to make one final attempt to say, okay, are there any potentially responsible parties that we can reasonably prove

has caused this contamination at this site.

If there are we would sit down with them and discuss their participation in the cleanup. If there aren't then the agency itself would pay for the cleanup out of the Superfund monies which are derived from a tax on oil-based products.

If we were to do this cleanup as described here, just the soil excavation, that could be done in a relatively short period of time. I would guess the time frame would be three months, stabilization, everything, start-up to finish. It's not a huge site. It might be four months, but it wouldn't be a long time.

In terms of additional studies to characterize the off-site sources of the groundwater contamination, that could take up to an additional year. The investigation of the residential areas, that could be probably much quicker because what we're basing our assumptions on at this point in time are a very few sampling points. We'd have to go out there and do additional sampling and find out if there is a problem and if there is a problem -- It's sort a

phased approach.

In terms of the groundwater investigation to the west of the site, it could be another year. It depends. It might not be that big of a deal. It might be just a pocket of contamination. It could be something more extensive. It's just hard to evaluate at this point in time.

Any questions about what I've presented?

(No response)

MR. O'GRADY: All right. Thank you very much. I'll turn the meeting back over to Noemi and we can enter, I guess, the public comment period of the session.

MS. EMERIC: We may have a lot of public comments as I explained earlier. I think somebody walked in afterwards. John just gave the presentation on the Engineering Evaluation/Cost Analysis.

Now we're going to move to our formal public comment period. In this session we do not respond to any of the comments, statements or questions you may have. You just make your statement, your question or your comment. It will

be recorded. Then we respond to it in our responsiveness summary.

If there are no other questions we can go directly to public comments, or if you'd like more discussion, more explanation from John we can do that.

Does anyone have any public comments? Any statements? No questions?

MR. JEEP: My name is Jeffery Jeep. I'm the general counsel for EMCO Chemical Distributors, Inc., the property right to the west of the subject property.

Have you identified responsible parties?

MR. O'GRADY: We are currently working with a company with respect to some of the problems we've found on the site. That's still in the negotiation phase.

In terms of determining which company or which entities may have caused the original contamination on the site itself we've not yet identified any potentially responsible parties. We're not finished with our work, but nobody is obviously coming to the forefront at

this point in time.

MR. JEEP: Can I ask another question?

MS. EMERIC: Sure.

MR. JEEP: Who owns the property?

MR. JEEP: The property is owned basically as a land trust held by the Northern Trust Bank. It was originally held by the Stack Family. Mr. Stack passed away and the land trust had certain levels of funding at one point time. They have expended virtually all their trust monies at this point in time doing limited site investigations. So basically there is not much there for us to go on.

SPEAKER: If it's determined there's no PRPs out there that are viable or willing to work with the EPA -- I'm the Devil's advocate -- what's the priority level at the EPA for a cleanup when you already know what the story is and you have an alternative set up?

MR. O'GRADY: That's a good question. As I mentioned before this is being done under removal program authority. There's two programs within Superfund. One is removal and the other is remedial. Remedial is the program that everyone

has heard the horror stories about. The site's been out there 15 years and good old EPA hasn't done a thing with it.

The removal program can best be characterized by, well, we had a train wreck and they came out and they cleaned it up. This is being does under a Removal Program Authority. There's a ceiling on how much we can spend on the Removal Program Authority. Basically it's $2 million. And then once we pass that $2 million mark, we have to get approval from headquarters.

This particular aspect of cleanup is under the $2 million mark. In fact, if we did the sediment and the groundwater and the soil, it would be barely over $2 million. So it's a fairly inexpensive remedy as remedy's go. $2 million is a lot of money. I wish I had it myself. It's inexpensive, believe me.

Then you do a prioritization and is the money available. That's a question I really can't answer, but I think there would be a good indication that given the amount of money we need to spend out there if the agency were to take it on, there is a fairly high level of confidence

from my part at this point in time it could be funded in 1/98.

SPEAKER: What are some of the other alternatives? I've heard of where you can find -- if you do a market analysis -- find a potential developer who would be willing to come in and look at the site for whatever he wants do with it and take it, clean it up first or -- you know, where there's a trade-off.

How does that work, and at what point does that get looked at?

MR. O'GRADY: Brownsfield, for those who aren't aware is a program in EPA Superfund, that basically looks at abandoned industrial properties and says how can we best get this property back into use by the community. This site could fall under the Brownsfield program.

The fact always remains, though, that it does need to be cleaned up. There's levels of lead and other contaminants onsite that exceed the removal action levels. And until it's cleaned up it really can't be used for a commercial industrial scenario. What Brownsfield's program may do is assist the local

community in marketing the property perhaps.

SPEAKER: Would that come down as a recommendation from EPA, or would that be something that someone at the local level would have to get to?

MR. O'GRADY: I think that's more of where the local political environment would raise the level of awareness of the site and its importance to the community with EPA. And I really shouldn't say any more about Brownsfield because I don't know a whole lot of about it.

MS. EMERIC: I can kind of explain a little about that. I work on the Brownsfield team and I worked with a site that started out as this site is. And when we identified who the PRPs were they thought it was in their best interests instead of working with U.S. EPA under an enforcement action, they worked with the Illinois EPA and joined the Volunteer Cleanup Program. The PRP said, yes, we voluntarily admit we've caused some of this contamination and we'll join IEPA's program.

By joining this program the IEPA works with the PRP and makes the property more

marketable. Now, the PRP does not own the property, nor do they have future interest in it. But now some other developer may express interest in it because the site is being cleaned up by the PRP, and it gets them off that enforcement, off the PRP. It could also be done once we're able to identify the PRPs. Or if someone steps forward and says, yes, were interested in the site, they may be able to go through this voluntary program and get some breaks there.

MR. BURRIS: Bruce Burris, City Engineer, North Chicago. I think my question is similar to Fred's but coming at a different angle.

Say you do go in there and do the cleanup. Who owns the piece of property after the cleanup's done?

MR. O'GRADY: Well, obviously our program doesn't go in and clean up properties to make other people rich. There would be a lien against the property filed by the program. So that in the event it was sold by a private party, for example, we could recover part of the cost of the cleanup.

However -- correct me, Noemi -- under a Brownsfield scenario if the property were

to come in the possession, for example, of the City of North Chicago or some municipality, then things like liens don't mean that much to us anymore. We generally don't want to own property. That might be a little different scenario.

MR. BURRIS: We have a storm sewer problem in this area. And what's why I asked that question. This may figure into it.

MR. O'GRADY: I was speaking with Fred before about the storm water problem. It's difficult because before we go clean up the sediment in that creek and improve the storm water drainage, we need to find out what's coming back on the site. So that would entail further investigation.

SPEAKER: I guess I'd like to make one more comment to put on the record, that the Lake County Storm Water Management Commission has been working with the City of North Chicago for the last, I'd say, five years on this site, on this particular site.

We got to the stage of design, review, permit at the State and Army Corps level to have this creek, which is right through the

site, maintained regraded and cleaned up so that the storm sewer system upstream would flow properly. Then we ran into the Superfund issue. So it kind of stopped in its tracks.

I just want to make sure that whatever is done that storm water and the City of of Chicago are integral partners in the final design, not necessarily the cleanup and remediation, but how the site is going to be when it's all said and done, final grading and all that. It's an important stretch in the storm sewer system of North Chicago.

MS. EMERIC: Any other comments or questions?

(No response)

MS. EMERIC: That's all we had on our agenda for tonight.

If there is anything else or if you want to send comments on the back of the agenda it has my name and telephone number and fax.

If you have any other questions or want to send in comments, the deadline is December 3. So make sure you get all your comments in by then. Thank you for coming.

(Hearing concluded at 7:37 p.m.)

STATE OF ILLINOIS)
) SS:
COUNTY OF MCHENRY)

I, VIRGINIA A. GAISER, CSR, do hereby certify that I am a court reporter doing business in the County of McHenry and State of Illinois; that I reported in shorthand the testimony given in the foregoing cause; and that the foregoing is a true and correct transcript of my shorthand notes so taken as aforesaid.

Virginia A. Gaiser, CSR
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